IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2497 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

BRIJABEN BINAL PATEL

Versus

REGIONAL PASSPORT OFFICER

Appearance:

MR MURALI N DEVNANI for Petitioner

MR PAURAMI SHETH FOR MR AKSHAY H MEHTA

Sr. Central Govt. Standing counsel for Respondent.

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 11/04/2001

ORAL JUDGEMENT

Rule. Ms. Paurami Sheth for Mr. Akshay H. Mehta Sr. . Central Govt. Standing Counsel appears on behalf of the respondent and she waives service of rule on behalf of the respondents.

2. By means of this petition, the petitioner has sought for a direction to the respondent authority to correct the date of birth of the petitioner as 6-11-1979 in the passport instead of 10-5-1979 which is wrongly mentioned in the school leaving certificate. It is stated by the petitioner that the correct date of birth of the petitioner is 6-11-1979 as mentioned in the birth certificate. But due to some inadvertence the date of birth of the petitioner is wrongly mentioned in school leaving certificate as 10-5--1979.

3. The petitioner has already moved an application on 3-4-2001 before the respondent authority concerned for correction of the birth date in the passport. But the respondent authority has not entertained the application dated 3-4-2001 of the petitioner and informed the petitioner that it has no power or authority to make such correction in the birth date of the petitioner unless and until some order is passed by the Court of Law.

3. In the facts and circumstances of this case, this application is being disposed of finally and the respondent authority concerned is directed to entertain, consider and decide the application dated 3-4--2001 filed by the petitioner in accordance with law and make correction with regard to the date of birth of the petitioner as 6-11-1979 instead of 10-5-1979 in the passport on the basis of the birth certificate produced by the petitioner and to issue the passport with correct date of birth of the petitioner as 6-11-1979, within four weeks from the date of receipt of writ of this Court or certified copy of this order whichever is earlier. The respondent authority will be at liberty to pass appropriate order with regard to the costs of these proceedings.

4. With the above directions and observations, this petition is disposed of. Rule is discharged.

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/JVSatwara/